IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated : Nainital the 27th day of May , 2002

Criminal Misc. Bail Application Number 487 of 2002

CRIMINAL SIDE

Brijesh Kumar son of Sri Sunder Lal, resident of village Surji Pur, Kotwali Hardoi, District Hardoi ……Applicant(s)

Versus

State of Uttaranchal ……Opposite Party

Arising out of – Case Crime no. 248 of 2002,

Under Section 18/20 N.D.P.S. Act

P.S. Rudrapur

District Udham Singh Nagar

By the Court

Hon'ble Irshad Hussain, J.

Heard the learned counsel for the applicant and the learned A.G.A.

It is a case of recovery of 2 kg. opium Donda powder from the applicant's possession.

Considered the quantity. The applicant has no previous conviction to his credit. There are reasonable grounds to accept at this stage the argument that the applicant has not committed the offence. There is no likelihood of his engaging himself in similar activity in future.

Under the circumstances, let the applicant Brijesh Kumar son of Sri Sunder Lal, resident of village Surji Pur, Kotwali Hardoi, District Hardoi be released on bail in case crime no. 248 of 2002, under section 18/20 of N.D.P.S. Act, P.S. Rudrapur, Distict Udham Singh Nagar on his filing a personal bond and adequate sureties to the satisfaction of Sessions Judge, Udham Singh Nagar.

(Irshad Hussain, J.)

27.5.2002/B